

ORIGINAL

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of

Amendment of Section 73.202(b),
Table of Allotments
FM Broadcast Stations
(Wake Village, Texas and Arcadia, Louisiana)

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RM- OCT 23 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

PETITION FOR RULE MAKING
AND ORDER TO SHOW CAUSE

Houston Christian Broadcasters, Inc. (hereafter "HCBI"), by its undersigned counsel, hereby respectfully requests that the Commission modify its FM broadcast station Table of Allotments in Section 73.202¹ of the Commission's rules and regulations as follows:

<u>Community:</u>	<u>Present Allocation</u>	<u>Proposed Allocation</u>
Wake Village, TX	223A	223C3
Arcadia, LA	223A	231C3

¹ 47 CFR 73.202(b).

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In addition, HCBI respectfully requests that the Commission issue a Show Cause Order requiring Charles and Patti Odom (hereafter the “Odoms”), the permittees for a new station on the present FM channel 223A allotment at Arcadia, Louisiana², to file an application to modify their present construction permit in conformity with the proposed FM allotment up-grade to channel 231C3 at Arcadia, Louisiana. In support of this request, the following is respectfully submitted for the consideration of the Commission.

1. HCBI is the Commission permittee for a new FM broadcast station on the present FM channel 223A allotment at Wake Village, Texas.³ HCBI has ascertained that the present Class A FM allotment at Wake Village can be up-graded to a Class C-3 allotment. See the attached "Declaration" by Lechman & Johnson, Inc. However, in order to make the modification in the Wake Village FM allotment in conformity with Section 73.207 of the Commission's rules, the present FM channel 223A allotment at Arcadia, Louisiana must be modified. HCBI has ascertained that FM channel 231C3 can be allocated to Arcadia, Louisiana in place of the present FM channel 223A allotment with a site restriction south of Arcadia and at a different location than

² See BPH-961031ME

the present transmitter site specified in the construction permit held by the Odoms.

2. As the attached engineering Declaration demonstrates, HCBI will increase the potential coverage area of the new Wake Village FM station, the first local service to that community, by 90%. In addition, the population contained in the 60 d/B/u contour of the station will increase by 18% based on the 1990 census, with additional population growth expected in the service area over the next several years. This increase in the service area and population of the Wake Village FM station can be attained with the added benefit of a corresponding upgrade in the service to be provided by the Odoms' proposed Arcadia, Louisiana FM station. Accordingly, the public interest is clearly served by the proposed change and up-grades in these two FM allotments under Section 307(b) of the Communications Act of 1934, as amended.

3. HCBI is aware that the Commission is hesitant to proceed with a rulemaking proposal such as this one absent the consent from the Odoms to relocate their transmitter site to accommodate the proposed upgrade in the petitioner's facilities. Accordingly, HCBI and the Odoms have entered into an agreement wherein the Odoms consent to

³ See FCC Public Notice Report No. 44221A (released April 16, 1998) approving the HCBI application on FM channel 223A at Wake Village, Texas.

relocate their transmitter site and to seek a modification in their Arcadia FM construction permit in conformity herewith in return for HCBI agreeing to pay them the sum of \$10,000.00 to cover the cost of the relocation of their transmitter site. Attached hereto as Exhibit A is a copy of the parties' agreement, which is subject to the approval of the Commission and the adoption of this rule making proposal.

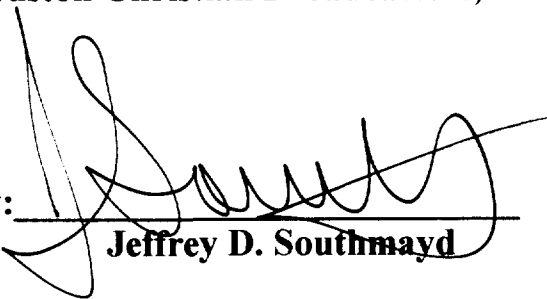
4. In the event the Commission adopts the HCBI proposal herein, HCBI will file an application to modify the construction permit for the new Wake Village FM station in conformity therewith, and will promptly, upon the issuance of a modified construction permit, build the station as a Class C-3 facility and place it into operation.

Wherefore, based on the foregoing, Houston Christian Broadcasters, Inc. respectfully requests that the FM Table of Allotments contained in Section 73.202 of the Commission's rules and regulations be modified to assign FM channel 223C3 to Wake Village, Texas in lieu of the present FM channel 223A allotment, assign FM channel 231C3 to Arcadia, Louisiana in lieu of the present FM channel 223A allotment, and modify the authorizations held by the respective permittees to specify operation in accordance therewith.

Respectfully submitted,

Houston Christian Broadcasters, Inc.

By:

A handwritten signature in black ink, appearing to read 'Jeffrey D. Southmayd', written over a horizontal line.

Jeffrey D. Southmayd

Its Attorney

**Southmayd & Miller
1220 19th Street, N.W.
Suite 400
Washington, D.C. 20036
(202) 331-4100**

Date: October 23, 1998

DECLARATION

**IN SUPPORT OF A
PETITION FOR RULE MAKING**

**PREPARED FOR
HOUSTON CHRISTIAN BROADCASTERS, INC.
WAKE VILLAGE, TEXAS**

Lechman & Johnson, Inc.

DECLARATION
ENGINEERING STATEMENT

Peter W. Lechman says that he is an engineer and President of Lechman & Johnson, Inc. Telecommunications Consultants, with offices located at 9049 Shady Grove Court, Gaithersburg, Maryland 20877 and that his qualifications are a matter of record with the Federal Communications Commission.

That the firm of Lechman & Johnson, Inc. has been retained by Houston Christian Broadcasters, Inc. ("HCB") to prepare this Engineering Statement in support of a Petition for Rule Making to amend the TABLE of FM Assignments, Section 73.207(b), to allocate Channel 223C3 to Wake Village, Texas in lieu of Channel 223A. It is proposed to amend the TABLE of FM Assignments as follows:

<u>Community</u>	<u>Present Allocation</u>	<u>Proposed Allocation</u>
Wake Village, TX	223A	223C3
Arcadia, LA	223A	231C3

A channel study was performed to determine whether an upgrade from Class A to Class C3 on Channel 223 could be made for Wake Village, Texas. For the initial study, the reference coordinates of Wake Village were used. These coordinates are as follows:

North Latitude: 33° 25' 36"
West Longitude: 94° 06' 22"

TABLE I-A is a computer study for Channel 223C3 from the reference site. As shown, FM Station KTKC, Channel 224A, Springhill, LA and KARQ, Channel 221A, Ashdown, AR preclude this upgrade using the reference site. EXHIBIT 1-A is a map showing arcs that represent the separation between existing stations, CP, application, etc. in accordance with Section 73.207 of the Rules and Regulations.

Channel 223C3 is workable using a hypothetical transmitter site as follows:

North Latitude: 33° 20' 00"
West Longitude 93° 58' 00"

Lechman & Johnson, Inc.

DECLARATION

HOUSTON CHRISTIAN BROADCASTERS, INC.

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TABLE I-B is a computer study for Channel 223C3 using the above hypothetical coordinates for the transmitter site. The site is short-spaced to KTKC's licensed facility operating on Channel 224A. KTKC holds a Construction Permit (BMPH-970717IC) to upgrade to Channel 225C2. Therefore, this proposal meets the spacing requirements for Channel 223C3 at Wake Village to Channel 225C2 at Springhill, Louisiana. The proposed deletion of Channel 223A allotted to Arcadia will allow an area for a transmitter site to be located for Wake Village which meets all the spacing requirements to other stations and will provide the prerequisite 70 dBu coverage over Wake Village. EXHIBIT 1-B is a map depicting an area to locate a transmitter site for Channel 223C3 at Wake Village, Texas.

A channel study was performed using the reference coordinates of Arcadia, LA to determine if another FM channel is workable with an upgrade from Class A status to Class C3. The study revealed that Channel 231C3 is workable with a site restriction approximately 12 km south of Arcadia. A hypothetical transmitter site has been chosen that meets the spacing requirements for Channel 231C3 from the following geographical coordinates:

North Latitude: 32° 26' 45"

West Longitude: 92° 56' 49"

TABLE II is a computer study for Channel 231C3 using the hypothetical site. EXHIBIT 2 is a map showing an area to locate Channel 231C3 that meets the spacing and City Grade (70 dBu) coverage requirements of the Rules and Regulations.

EXHIBIT 3 is a map depicting the 60 dBu contours of HCB's application BPH-970630MB on Channel 223A and Channel 223C3 using the hypothetical transmitter site for the upgrade. The 1990 population figures are 107,839 and 127,181 people, respectively. The areas are 2,504 and 4,760 sq. km, respectively. The upgrade represents an increase of 18% in population and 90% in area.

EXHIBIT 4 is a map showing that Channel 223C3 allotted to Wake Village will provide City Grade coverage over Wake Village.

Lechman & Johnson, Inc.

DECLARATION
HOUSTON CHRISTIAN BROADCASTERS, INC.
Page Three

The results of these studies show that Channel 223C3 can be assigned to Wake Village, Texas and Channel 231C3 can be assigned to Arcadia, Louisiana and is consistent with the requirements of the Commission's Rules and Regulations.

LECHMAN & JOHNSON, INC.

A handwritten signature in black ink, appearing to read "Peter W. Lechman", written over a horizontal line.

Peter W. Lechman
Consulting Engineer
October 21, 1998

Lechman & Johnson, Inc.

TABLE I - A

***** FM CHANNEL STUDY NO. 1 - LECHMAN & JOHNSON, INC. GAITHERSBURG, MARYLAND - 21-OCT-98 12:35:51 *****
 ***** LAST UPDATE: 981017 *****

NEW	223 C3 FM	POLARIZATION	ERP (KW)	HAAT	RCANSL
WAKE VILLAGE TX	US		HOR PLN	BM TILT	(METER)
33.2536	94.0622 (D.MSS)	HORIZONTAL	25.000	0.000	100.0
		VERTICAL	25.000	0.000	100.0

THE FOLLOWING CONTOURS ARE CALCULATED USING:

CALCULATED HAAT FROM TOPO DATA BASE

ERP= 25.000 (KW) 14.0 (DBK) HAAT= 100.0 (METERS)

INTERFERING	DOMESTIC
	DBU KM
CO CHANNEL (40.0)	113.6
1ST ADJACENT (54.0)	60.2
2ND ADJACENT (80.0)	12.9
3RD ADJACENT (100.0)	4.1

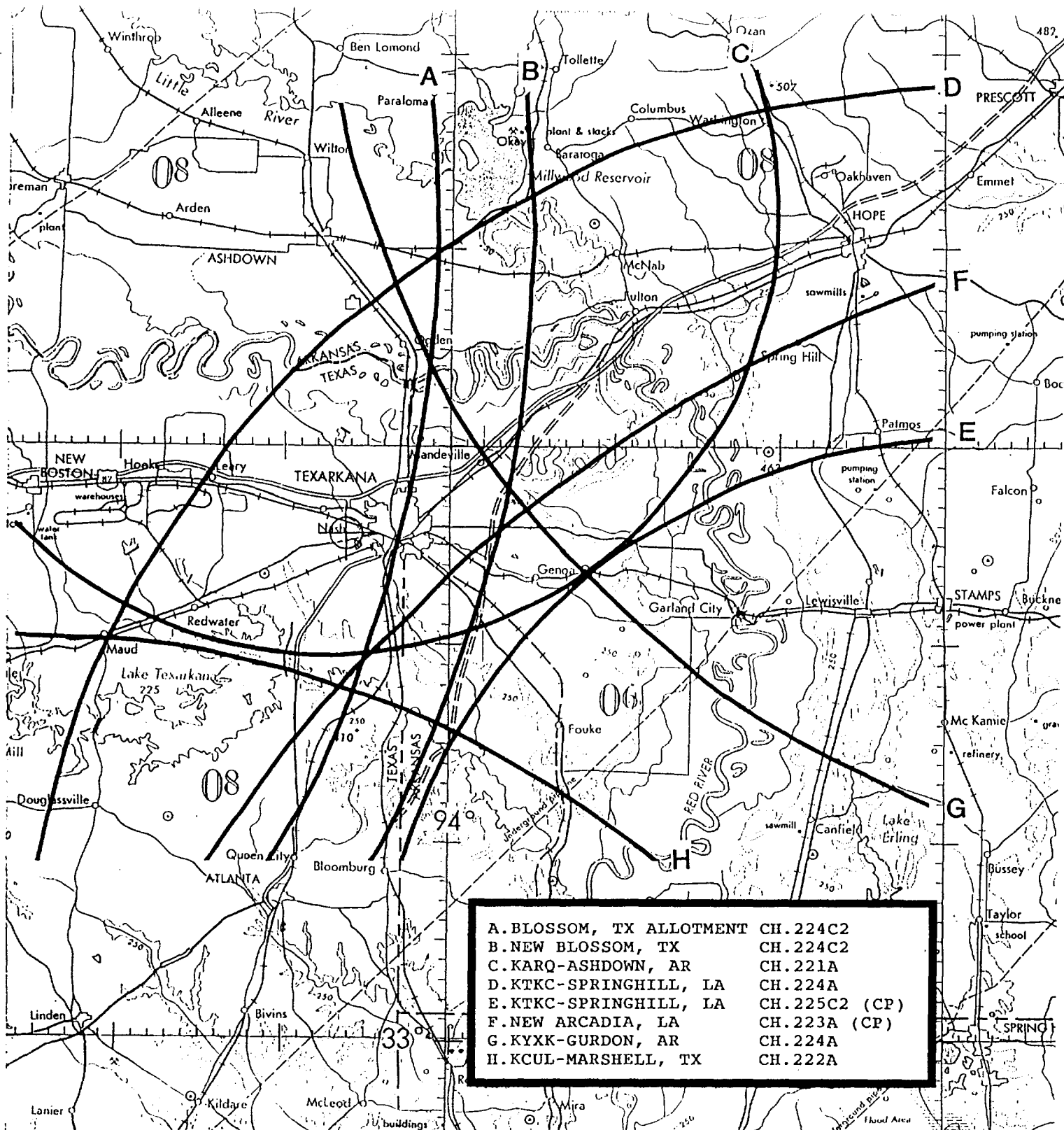
AZIMUTH	HAAT	HAAT	CONTOURS (KM)	
DEGREES	(METERS)	(FEET)	70 DBU	60 DBU
0.0	99.8	327.4	23.2	39.0
45.0	98.7	323.8	23.1	38.9
90.0	88.0	288.7	21.8	37.0
135.0	107.9	353.9	24.1	40.3
180.0	113.9	373.8	24.7	41.2
225.0	109.6	359.4	24.3	40.6
270.0	88.7	290.9	21.9	37.1
315.0	93.4	306.6	22.5	38.0
AVERAGE	100.0	328.1	23.2	39.1

PROTECTED (60.0) 39.1

CITY GRADE (70.0) 23.2

EST SITE ELEVATION : 94.7 m.; 310.7 ft.
 EST RAD CENTER AGL : 95.1 m.; 312.0 ft.
 RAD CENTER A.M.S.L.: 189.8 m.; 622.7 ft.

AZIMUTH		CALL	STS	FILE NUMBER	CITY	ST C	LAT (D.MSS)	LONG	REL CHN	ERP (KW)		HAAT (M)	I-CON P-CON		IR DIST (KM)	IC RSEP (KM)	REZLT IR IC
FROM	TO									HORZ	VERT		A	F5010			
357.0	177.0	KARQ	LIC	BLH850705LJ	Ashdown	AR A	33.4156	94.0724	2ND 221A	2.80H	2.80V	93			30.2	42.	S
COMMENTTo Channel 227C3 per D97-223																	
349.1	169.0		VAC		De Queen	AR A	34.1335	94.1735	2ND 221C2	H	V	0			90.4	56.	
COMMENTEffective 6-8-98 - Reserved for KDQK-FM per D97-223																	
195.7	15.5	KULFM	LIC	BLH961227KC	Marshall	TX A	32.3226	94.2403	1ST 222A	5.8H	5.8V	100			102.1	89.	
59.1	240.1	KIPR	LIC	BLH860501KF	Pine Bluf	AR A	34.2212	92.1007	1ST 222C1	100.H	100.V	286			207.5	144.	
301.1	120.2		VAC		Antlers	OK A	34.1245	95.4213	1ST 222C2	H	V				171.7	117.	
179.8	359.8	KCOT	LIC	BLH940103KD	San Ausus	TX A	31.3144	94.0559	CO 223A	1.4H	1.4V	67			210.4	142.	
135.7	316.3	NEW	CP	BPH961031HE	Arcadia	LA A	32.2658	92.5849	CO 223A	5.50H	5.50V	1000			151.1	142.	
251.6	70.0	KZPS	LIC	BLH801126AA	Dallas	TX A	32.3522	96.5810	CO 223C	98.B	98.B	485			283.2	237.	
105.1	285.1	KBHA	CP	BPED970630HB	Wake Vill	TX A	33.2513	94.0440	CO 223A	6.0H	6.0V	1000			2.7	142.	S
345.4	165.1	KPRVFM	LIC	BLH970822KD	Heavener	OK A	34.5354	94.3430	CO 223A	1.55H	1.55V	195			168.9	142.	
55.9	236.4	KYXK	LIC	BLH850103KP	Gurdon	AR A	33.5642	93.1043	1ST 224A	3.00H	3.00V	91			103.4	89.	
COMMENTTo Channel 295A per D98-40																	
128.4	308.8	KTKC	LIC	BLH6831	Sprinshil	LA A	33.0028	93.2843	1ST 224A	3.00H	3.00V	53			74.7	89.	S
COMMENTTo change to 225C3 per one-step application 960725IC-																	
128.3	308.7	KTKC	CP	BMPH970717IC	Sprinshil	LA A	33.0030	93.2838	2ND 225C2	40.H	40.V	167			74.8	56.	
274.0	93.4	NEW	CP	BPH960703MI	Blossom	TX A	33.2912	95.1235	1ST 224C2	50.H	50.V	150			102.8	117.	S
349.1	169.0	KDQKFM	LIC	BLH961017KA	De Queen	AR A	34.1335	94.1735	3RD 226C2	50.0H	50.0V	150			90.4	56.	
COMMENTTo Channel 221C2 per D97-223																	



AREA TO LOCATE MAP
 " NONE "

WAKE VILLAGE, TX CHANNEL 223C3

LECHMAN & JOHNSON, INC.
 TELECOMMUNICATIONS CONSULTANTS

EXHIBIT 1 - A
 OCTOBER 1998

***** FM CHANNEL STUDY NO. 1 - LECHMAN & JOHNSON, INC. GAITHERSBURG, MARYLAND - 21-OCT-98 12:48:20 *****
***** LAST UPDATE: 981017 *****

THE FOLLOWING CONTOURS ARE CALCULATED USING: CALCULATED HAAT FROM TOPO DATA BASE
ERP= 25.000 (KW) 14.0 (DBK) HAAT= 100.0 (METERS)

AZIMUTH DEGREES	HAAT (METERS)	HAAT (FEET)	CONTOURS (KH)	
			70 DBU	60 DBU
0.0	75.8	248.8	20.3	34.5
45.0	85.6	280.7	21.5	36.5
90.0	93.0	305.1	22.4	37.9
135.0	101.5	333.0	23.4	39.3
180.0	124.5	408.5	25.6	42.6
225.0	116.6	382.5	24.9	41.6
270.0	108.0	354.5	24.1	40.4
315.0	95.0	311.5	22.7	38.2
AVERAGE	100.0	328.1	23.2	39.1

EST SITE ELEVATION :	91.4 m.;	300.0 ft.
EST RAD CENTER AGL :	91.2 m.;	299.2 ft.
RAD CENTER A.M.S.L.:	182.6 m.;	599.2 ft.

AZIMUTH		CALL	STS	FILE NUMBER	CITY	ST C	LAT	LONG	ERP (KW)		HAAT D I-CON F-CON		IR		IC	REZLT	
FROM	TO						(D.MMSS)	REL	CHN	HDRZ	VERT	(H)	A	F5010	F5050	DIST	RSEP
										(KM) (KM)		(KM)	(KM)	(KM)			
340.4	160.3	KARQ	LIC	BLH850705LJ	Ashdown	AR A	33.4156	94.0724	2ND	221A	2.80H	2.80V	93		43.1	42.	
COMMENTTo Channel 227C3 per D97-223												***DOCKET**83-1228 **					
204.8	24.6	KCULFM	LIC	BLH961227KC	Marshall	TX A	32.3226	94.2403	1ST	222A	5.8H	5.8V	100		96.8	89.	
54.7	235.7	KIPR	LIC	BLH860501KF	Pine Bluf	AR A	34.2212	92.1007	1ST	222C1	100.H	100.V	286		202.3	144.	
183.6	3.5	KCOT	LIC	BLH940103KD	San Augus	TX A	31.3144	94.0559	CO	223A	1.4H	1.4V	67		200.5	142.	
136.6	317.1	NEW	CP	BPH961031ME	Arcadia	LA A	32.2658	92.5849	CO	223A	5.50H	5.50V	1000		134.6	142.	S
254.4	72.7	KZPS	LIC	BLH801126AA	Dallas	TX A	32.3522	96.5810	CO	223C	98.8	98.8	485		292.6	237.	
254.4	72.8	KZPSau	LIC	BLH871020KK	Dallas	TX A	32.3524	96.5821	CO	223C	44.H	44.V	233		292.9	237.	
313.2	133.1	KBHA	CP	BPED970630MB	Wake Vill	TX A	33.2513	94.0440	CO	223A	6.0H	6.0V	1000		14.1	142.	UPGRADE
342.3	162.0	KPRVFM	LIC	BLH970822KD	Heavener	OK A	34.5354	94.3430	CO	223A	1.55H	1.55V	195		182.4	142.	
46.8	227.2	KYXK	LIC	BLH850103KP	Gurdon	AR A	33.5642	93.1043	1ST	224A	3.00H	3.00V	91		99.7	89.	
128.4	308.7	KTKC	LIC	BLH6831	Springhil	LA A	33.0028	93.2843	1ST	224A	3.00H	3.00V	53		58.1	89.	S
COMMENTTo change to 225C3 per one-step application 960725IC-																	
128.3	308.6	KTKC	CP	BMPH970717IC	Springhil	LA A	33.0030	93.2838	2ND	225C2	40.H	40.V	167		58.2	56.	C
***COMMENT**From Channel 224A per one-step application																	
278.7	98.1	NEW	CP	BPH960703MI	Blossom	TX A	33.2912	95.1235	1ST	224C2	50.H	50.V	150		116.9	117.	s

Lechman & Johnson, Inc.

TABLE II

***** FM CHANNEL STUDY NO. 1 - LECHMAN & JOHNSON, INC. GAITHERSBURG, MARYLAND - 20-OCT-98 18:12:57 *****
 ***** LAST UPDATE: 981017 *****

231 C3 FM	POLARIZATION	ERP (KW)	HAAT	RCANSL
ARCADIA LA US		HOR PLN	BM TILT	(METER)
32.2645 92.5649 (D.MHSS)	HORIZONTAL	25.000	0.000	100.0
	VERTICAL	25.000	0.000	100.0

THE FOLLOWING CONTOURS ARE CALCULATED USING:

CALCULATED HAAT FROM TOPO DATA BASE

ERP= 25.000 (KW) 14.0 (DBK) HAAT= 100.0 (METERS)

INTERFERING	DOMESTIC	AZIMUTH	HAAT	HAAT	CONTOURS (KH)
	DBU KM	DEGREES	(METERS)	(FEET)	70 DBU 60 DBU
CD CHANNEL (40.0)	113.6	0.0	79.1	259.6	20.7 35.2
1ST ADJACENT (54.0)	60.2	45.0	85.1	279.2	21.5 36.4
2ND ADJACENT (80.0)	12.9	90.0	105.6	346.4	23.8 40.0
3RD ADJACENT (100.0)	4.1	135.0	102.3	335.6	23.5 39.5
		180.0	124.6	408.7	25.6 42.6
		225.0	106.6	349.6	24.0 40.1
PROTECTED (60.0)	39.1	270.0	109.9	360.7	24.3 40.6
		315.0	86.8	284.9	21.7 36.7
CITY GRADE (70.0)	23.2	AVERAGE	100.0	328.1	23.2 39.1

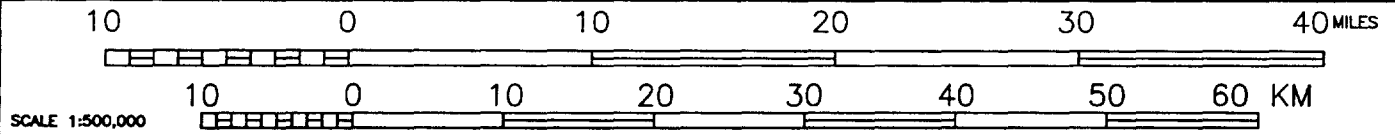
EST SITE ELEVATION : 89.2 m.; 292.7 ft.

EST RAD CENTER AGL : 98.6 m.; 323.4 ft.

RAD CENTER A.M.S.L.: 187.8 m.; 616.1 ft.

AZIMUTH	LAT	LONG	ERP (KW)	HAAT	D	I-CON	P-CON	IR	IC	REZLT
FROM TO CALL STS	FILE NUMBER	CITY	ST C	(D.MHSS)	REL CHN	HORZ VERT	(H) A F5010 F5050	DIST RSEP	RSEP	IR IC
							(KH) (KM)	(KM) (KM)	(KM)	(KM)
285.9 105.4 KITT LIC	BLH840607CO	Shreveport	LA A	32.4039	93.5541 2ND 229C	100.B100.B	308	95.7	96.	s
159.8 340.1 KFAD LIC	BLH930223KB	Alexandria	LA A	31.1604	92.2624 1ST 230A	6.0H 6.0V	100	139.2	89.	
66.6 247.2 KTRYFM ADD	RM9339	Bastrop	LA A	32.4910	91.5429 1ST 230A	H V	0	105.9	89.	
COMMENTOption 1										
66.6 247.2 KTRYFM LIC	BLH6141	Bastrop	LA A	32.4910	91.5429 1ST 232A	3.00H V	88	105.9	89.	
COMMENTTO CHANNEL 230C2 PER D87-242 -- Horizontally Polarized only										
66.6 247.2 KTRYFM DEL	RM9339	Bastrop	LA A	32.4910	91.5429 1ST 232A	H V	0	105.9	89.	
COMMENTOptions 1 and 2										
64.6 245.1 DEL	RM9339	Bastrop	LA A	32.5043	91.5610 1ST 230C3	H V	0	104.7	99.	C
COMMENTOption 1										
64.6 245.1 VAC		Bastrop	LA A	32.5043	91.5610 1ST 230C3	H V	0	104.7	99.	C
COMMENTSite Restricted-Effective 01-17-89-RSVD For KTRYFM Per D87-242 **DOCKET**87-242 **										
71.5 252.0 ADD	RM9339	Bastrop	LA A	32.4325	91.5656 1ST 230C3	H V	0	98.6	99.	s
COMMENTSite restricted 7.1 km Southwest - Option 2										
132.1 313.2 WEMX LIC	BLH930616KA	Kentwood	LA A	30.5144	90.5534 CO 231C1	100.H100.V	299	259.9	211.	
201.4 20.8 KQXYFM LIC	BLH800619AE	Beaumont	TX A	30.0656	94.0000 CO 231C1	100.H100.V	183	277.1	211.	
9.0 189.2 KKPT LIC	BLH911018KN	Little Rock	AR A	34.4756	92.2944 CO 231C	100.H100.V	488	264.3	237.	
285.4 104.8 KRUF LIC	BLH880314KB	Shreveport	LA A	32.4013	93.5559 2ND 233C	100.B100.B	334	95.9	96.	s

Lechman & Johnson, Inc.

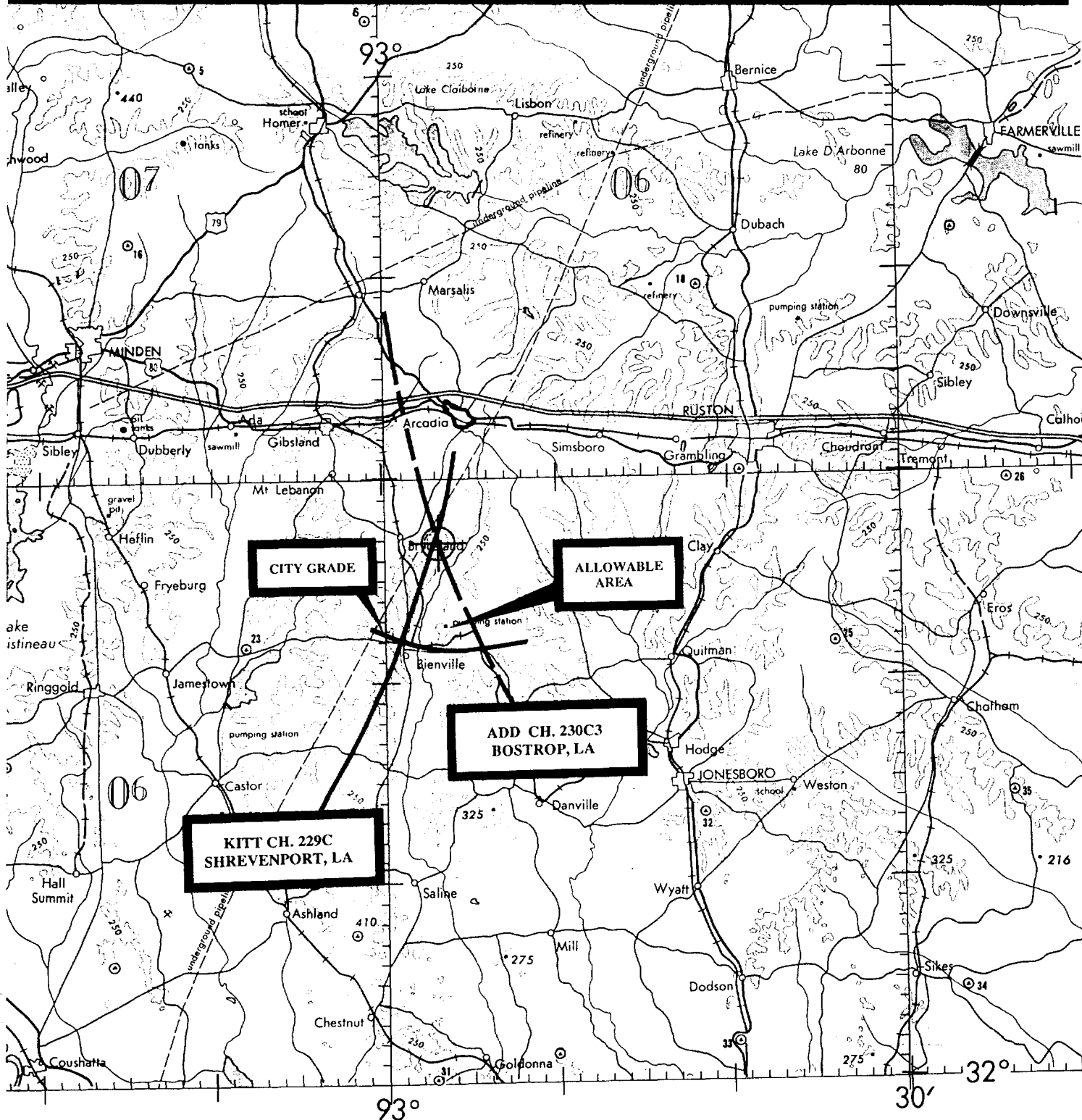


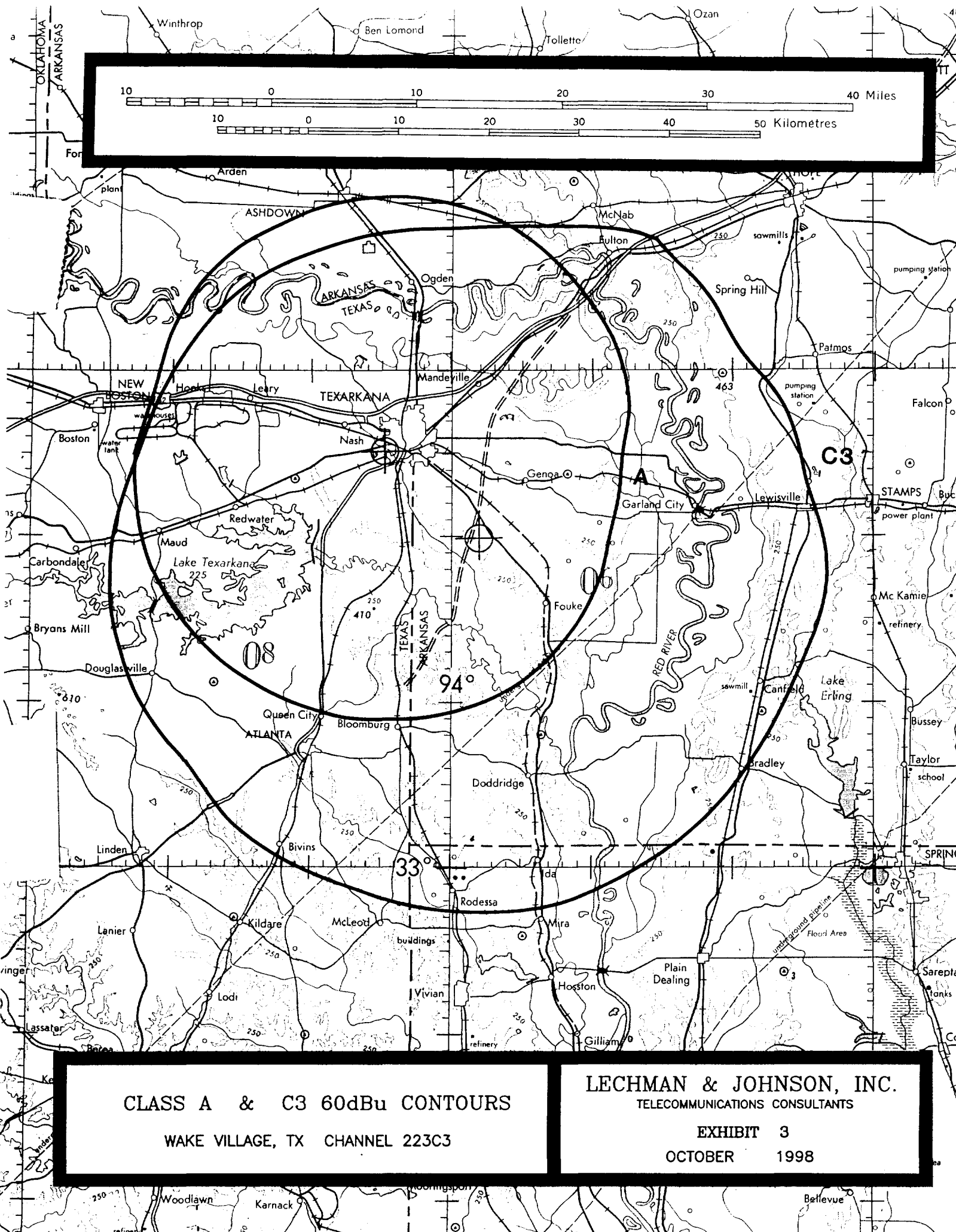
ALLOWABLE SITE AREA

ARCADIA, LA CHANNEL 231C3

LECHMAN & JOHNSON, INC.
TELECOMMUNICATIONS CONSULTANTS

EXHIBIT 2
OCTOBER 1998





CLASS A & C3 60dBu CONTOURS

WAKE VILLAGE, TX CHANNEL 223C3

LECHMAN & JOHNSON, INC.
TELECOMMUNICATIONS CONSULTANTS

EXHIBIT 3
OCTOBER 1998

OCTOBER 1998

**EXHIBIT A
WAKE VILLAGE, TEXAS
FM RULE MAKING**

AGREEMENT TO COOPERATE

AGREEMENT TO COOPERATE

This Agreement is made and entered into this 6th day of October, 1998, by and among Houston Christian Broadcasters, Inc. ("HCBI"), and Charles and Patti Odom ("Odoms") for valuable consideration, the receipt of which is hereby acknowledged.

Witnesseth:

WHEREAS, HCBI has tendered to the Federal Communications Commission (hereafter the "FCC" or the "Commission") a "Petition For Rule Making And Order To Show Cause" (referred to herein as the "Petition") to modify the FM channel 223A allotment at Wake Village, Texas, to FM channel 223C3; and

WHEREAS, the Odoms have a construction permit to utilize the FM channel 223A allotment at Arcadia, Louisiana; and

WHEREAS, in order to modify the Wake Village, Texas FM allotment to channel 223C3 it is necessary to modify the FM channel 223A allotment to Arcadia, Louisiana to FM channel 231C3 and to require the Odoms to find a new transmitter site to operate their proposed FM station on FM channel 231C3; and

Whereas the FCC will not approve the two channel change proposals without the agreement of the Parties hereto to the necessary transmitter site change for the Arcadia FM construction permit held by the Odoms and the site restriction necessitated by the FM channel 231C3 allotment; and

WHEREAS, this Agreement is conditioned upon the release by the Commission of an Order (or Orders) (i) granting the FM channel 223C3 allotment

to Wake Village, Texas and (ii) granting the FM channel 231C3 allotment to Arcadia, Louisiana.; and

WHEREAS, the Odoms will incur certain costs and expenses in finding a new transmitter site for the proposed radio station that will utilize the FM channel 231C3 allotment.

NOW THEREFORE, in consideration of the foregoing and of the terms and conditions set forth herein, and with the intention of being legally bound hereby, the Parties (jointly and severally) agree to the following:

1. **Reimbursement of the Odoms Expenses** HCBI agrees to pay to the Odoms the sum of Ten Thousand Dollars (\$10,000.00) to reimburse the Odoms for the costs and expenses that will be involved in finding a new transmitter site for their proposed FM station on FM channel 231C3. Upon the execution of this Agreement by the Parties, HCBI will convey to the Jeffrey D. Southmayd (the "Escrow Agent") a check in the amount of \$10,000.00, made payable to the Southmayd & Miller Escrow Account to be placed in an interest bearing escrow account by the Escrow Agent and held until it is disbursed pursuant to this Agreement.

2. The Escrow Agent is authorized by the Parties to this Agreement to deposit the escrow funds required to be held by him pursuant to this Agreement in an interest-bearing account in First Union Bank of Washington, D.C. and such funds may be deposited in a money-market account (or accounts) or may be deposited pursuant to a customer repurchase agreement (or agreements).

3. **COOPERATION AND CONSENT OF THE ODOMS.** The Odoms hereby stipulate and agree that they consent to the modification of their construction permit on FM Channel 223A at Arcadia, Louisiana, to FM channel 231C3 with a site restriction and to a change in the proposed transmitter site for their station to an area that will allow for the FM channel 223C3 substitution to the FM channel 223A allotment at Wake Village, Texas, as is proposed by HCBI.

4. **MODIFICATION IN RULE MAKING.** HCBI will modify its rule making Petition to propose the substitution of FM channel 231C3 for FM channel 223A at Arcadia, Louisiana. HCBI will pay all expenses in connection with the necessary FCC engineering and legal filings for this substitution.

5. **Payment.** The Escrow Agent will disburse the funds held in escrow as follows:

a). To the Odoms within thirty (30) days after the FCC's approval of the substitution of FM channel 223C3 for channel 223A at Wake Village, Texas, becomes a final order under the Commission's Rules and Regulations; or

b) To HCBI within thirty (30) days after the FCC's denial of the substitution of FM channel 223C3 for channel 223A at Wake Village, Texas becomes a final order under the Commission's Rules and Regulations.

6. **Integration:** This Agreement contains the entire understanding of the Parties with respect to the subject matter hereof. This Agreement may be amended only by a written document executed by both of the Parties.

7. **Counterpart Signatures:** This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

8. **Construction:** This Agreement shall be construed under the laws of the District of Columbia, the Balanced Budget Act of 1997, the Communications Act, and the Rules and Regulations of the Commission.

9. **Condition Precedent:** This Agreement is conditioned upon the Commission's approval, by Final Order (as defined herein), of this Agreement and the Petition For Rule Making And Order to Show Cause substituting FM channel 223C3 for channel 223A at Wake Village, Texas, and FM channel 231C3 for FM channel 223A at Arcadia, Louisiana. However, the contractual obligations of the parties to each other are effective upon the execution hereof.

10. **Notices:** Unless otherwise provided herein, notice required to be given pursuant to relative to this Agreement shall be deemed given when delivered in writing to the Parties at the addresses below. This may be undertaken by confirmed facsimile transmission provided a copy of the notice is mailed within 24 hours thereafter:

If to the Charles and Patti Odom:

Mr. Charles Odom
615 Main Street
Minden, Louisiana 70155

If to Houston Christian Broadcasters, Inc.

Jeffrey D. Southmayd, Esquire
Southmayd & Miller
1220 19th Street, N.W., Suite 400
Washington, D.C. 20036

11. **COOPERATION OF THE PARTIES:** HCBI shall prosecute its Petition vigorously and in good faith. It shall defend against any opposition, petition, or motion or the like which is interposed against its Petition. The Odoms will fully

cooperate with HCBI and will supply HCBI in a timely manner with any information or materials that HCBI may request in order to effectuate the changes proposed in the Petition.

12. **Final Order**: An order or action of the Commission is final for purposes of this Agreement when, under the express provisions of the Communications Act of 1934, as amended, and the Commission's Rules, it is no longer subject to timely administrative or judicial review, reconsideration, appeal or stay, where the time for initiating such review, reconsideration, appeal or stay has expired with not such procedure having been initiated or, if such a procedure has been initiated, it has been concluded in favor of Parties herein and the time for initiating any further review has expired.

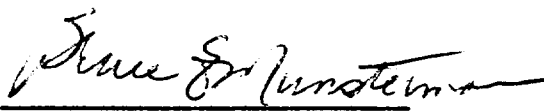
IN WITNESS WHEREOF, Parties have duly executed this Agreement in counterparts, with each deemed an original, effective on the date first mentioned above.

Charles Odom

Patti Odom



Houston Christian Broadcasters, Inc.

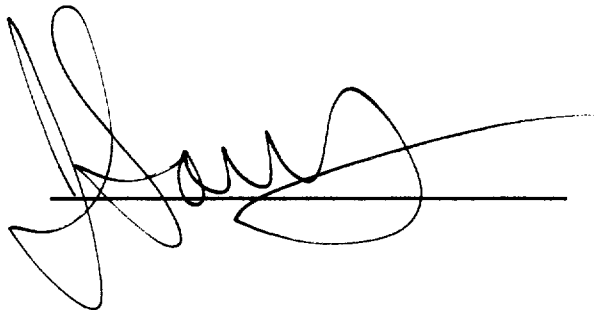
By: 
President

CERTIFICATE OF SERVICE

I, Jeffrey D. Southmayd, hereby certify copies of the foregoing "Petition For Rule Making And Order To Show Cause" were served by first class United States mail, postage pre-paid, on this 23rd day of October, 1998, on the following:

**Mr. John Karousos
Chief
Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
2000 M Street, N.W.
Room 565
Washington, D.C. 20554***

**Charles and Pattie Odom
615 Main Street
Minden, Louisiana 70155**

A handwritten signature in black ink, appearing to read "Jeffrey D. Southmayd", is written over a horizontal line.